No. 17-1184

IN THE
Supreme Court of the United States

MICHAEL J. BIESTEK,
Petitioner,

v.

COMMISSIONER OF SOCIAL SECURITY,
Respondent.

On a Writ of Certiorari
To the United States Court of Appeals
For the Sixth Circuit

MOTION FOR LEAVE TO DISPENSE WITH PREPARATION OF JOINT APPENDIX

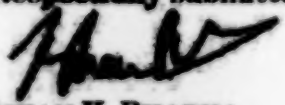
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Pursuant to Rule 26.8 of the Rules of this Court, Petitioner respectfully seeks leave to dispense with the requirement of a joint appendix.

The Court granted certiorari to consider the following question of law: "whether a vocational expert's testimony can constitute substantial evidence of 'other work,' 20 C.F.R. § 404.1520(a)(4)(v), available to an applicant for social security benefits on the basis of a disability, when the expert fails upon the applicant's request to provide the underlying data on which that testimony is premised." Rule 26.1 provides that the joint appendix need not include any items that are already reproduced in the appendix to the petition for writ of certiorari. In this case, the appendix to the petition for a writ of certiorari includes the relevant decisions from the Sixth Circuit, District Court, and administrative hearing. In Petitioner's view, no other portion of the record merits special attention such as would warrant the preparation and expense of a joint appendix, and preparation of a joint appendix would not materially assist the Court's consideration of the case.

Respondent does not object to dispensing with the preparation of a joint appendix.

Respectfully submitted,



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